

Howard County Zoning Regulations

SECTION 103.0 Definitions

Mulch Manufacture: The manufacture of horticultural mulch from wood, wood products or similar materials. This term does not include the production of mulch as a by-product of on-site farming.

Yard Waste Composting Facility: A facility which yard waste and natural wood waste is received and processed to produce compost for off-site use.

SECTION 106.1: County Preservation Easements

D. Conditional Uses

1. ALPP Purchased Easements and ALPP Dedicated Easements

a. Conditional Uses shall not be allowed on agricultural preservation easements unless they support the primary agricultural purpose of the easement property, or are an ancillary business which supports the economic viability of the farm, and are approved by the hearing authority in accordance with the applicable provisions of Sections 130.0 and 131.0 of these regulations. On an ALPP purchased or dedicated easement property, the area devoted to Conditional Uses may not exceed a cumulative use cap equal to 2% of the easement or up to a maximum of 1 acre for preservation parcels created as part of the cluster subdivision process.

The following Conditional Uses may be allowed:

- (10) Landscape contractors
- (12) Sawmills, bulk firewood, mulch manufacture and/or soil processing

SECTION 122.0: M-1 (Manufacturing: Light) District

B. Uses Permitted as a Matter of Right

- (21) Farming, provided that on a residential lot or parcel of less than 40,000 square feet no livestock shall be permitted. However, residential chicken keeping is allowed as noted in Section 128.0.
- (37) Mulch Manufacture

Section 131.0: Conditional Uses

46. Sawmills, Bulk Firewood Processing, Mulch Manufacture, or Soil Processing

A Conditional Use may be granted in the RC or RR Districts for sawmills, Bulk Firewood Processing, mulch manufacture, or soil processing providing that:

- a. Buildings and structures used for processing activities, equipment and outdoor uses associated with the operation shall be at least 500 feet from existing residences on different lots and at least 300 feet from property lines. Buildings or structures which are principally used for storage and which are not used for processing activities shall be at least 100 feet from property lines.
- b. All required state and federal permits have been obtained. The Hearing Authority, as a condition of approval, may impose requirements which are more stringent than the requirements of the state and federal permits.

- c. Parking, storage areas and equipment shall be screened from adjoining properties and public roads by landscaping or other appropriate means.
- d. Hours of operation shall be established by the Hearing Authority.
- e. Retail sales of materials produced on-site may be permitted if specifically approved by the Hearing Authority.
- f. The minimum lot size is 10 acres.
- g. The vehicular access to the use shall be from an arterial or collector highway and not from a local road unless authorized by the Hearing Examiner.
- h. On an agricultural land preservation easement property, sawmills and bulk firewood processing are permitted with the following required additional criteria:
 - (1) The use shall not interfere with farming operations or limit future farming production.
 - (2) Any new building or building addition associated with the use, including any outdoor storage and parking area shall count towards the cumulative use cap of the easement.

60. Yard Waste Composting Facility

A Conditional Use may be granted in the RC, RR or M-1 Districts for a yard waste composting facility, provided that:

- A.** Only yard waste (leaves, grass, brush, yard trimmings) and natural wood waste (tree and other vegetative refuse including tree stumps, limbs and root mats) shall be received for composting on the site.
- B.** All required state and federal permits have been obtained. The Hearing Authority, as a condition of approval, may impose requirements which are more stringent than the requirements of the state and federal permits.
- C.** In addition to the bulk regulations of the applicable zoning district, the following structure and use setbacks shall apply:
 - (1) From an existing residence on a different lot 500 feet
 - (2) From adjacent residentially zoned lots 300 feet
 - (3) From public street rights-of-way 100 feet
 - (4) From existing streams and wetlands 100 feet
- D.** A landscaped buffer area with a minimum width of 100 feet shall be maintained around the perimeter of the site. The landscaped buffer shall be used only for planting, fencing, and driveways for ingress and egress to the site.
- E.** The operational shall not result in odors which are detectable on surrounding properties
- F.** The operational shall be conducted in a safe and environmentally sound manner, as prescribed by law or regulations and with respect to the likelihood of hazard to persons or damage to lands, natural resources, streets, bridges, and public rights-of-way.

- G.** The operational shall be conducted in a manner which will prevent insect and/or rodent infestation
- H.** The facility shall be maintained in a clean and sanitary condition. Areas where yard waste or compost is processed, loaded, or unloaded shall be designed and constructed to drain freely to prevent the accumulation of standing liquid.
- I.** All liquid, including leachate and storm water runoff, generated from the composting facility shall be collected and treated prior to disposal, in accordance with applicable regulations.
- J.** In the RC and RR Districts, the hours of operation shall be restricted to between 7:00 A.M. and 6:00 P.M., and no operation shall be permitted on Sundays except repairs to equipment and improvements.
- K.** On-site retail sales of finished compost shall be permitted if specifically approved by the Hearing Authority.
- L.** The structural elements of the roads serving the site shall be adequate for the truck traffic to be generated by the composting facility. The petition shall include a road condition study to allow the Hearing Authority to make this determination.
- M.** The Conditional Use plan submitted with the petition shall show the following:
 - (1) Survey boundaries of the subject property
 - (2) Existing natural features including streams, ponds, springs, and wetlands
 - (3) Existing and proposed topography
 - (4) Setback and buffer area, including type of screening and fencing
 - (5) Portion of tract to be used for composting operations, including the location and layout of:
 - a. Yard Waste unloading, receiving and storage areas;
 - b. Yard Waste processing areas, including areas for grinding, screening, mixing and other operations to prepare yard waste for composting;
 - c. Composting Areas;
 - d. Compost curing areas;
 - e. Compost final product preparation areas (screening and other operations); and
 - f. Finished compost storage and loading areas.
 - (6) Existing and proposed structures and major mechanical equipment
 - (7) Existing and proposed access driveways.
 - (8) Water supply (including quantity requirements) and sewage disposal.
 - (9) Storm water management facilities for quantity and quality control.
 - (10) Facilities for storage and treatment of leachate and any other liquids generated by the operation.
 - (11) Other existing or proposed uses on the site.
- N.** An operations plan shall be submitted by the applicant to enable the Hearing Authority to evaluate the potential impacts of the proposed use. If the petition is approved, substantial changes to the operations plan shall not be implemented without prior approval of the Hearing Authority. The plan shall provide the following information:
 - (1) Types, anticipated quantities and sources of yard waste
 - (2) Methods by which unacceptable wastes delivered to the facility will be identified, segregated, and handled for removal and disposal.

- (3) Off-site location where unacceptable and wastes delivered to the composting facility will be disposed of.
 - (4) Methods by which waste quantities delivered will be determined including weighing facilities to be provided.
 - (5) A description of major items of equipment and associated capacities.
 - (6) A description of proposed buildings and pads for storage, composting and processing.
 - (7) A description of yard waste delivery methods and requirements.
 - (8) A description of incoming yard waste handling and processing methods including processing capacity and storage volume to be provided.
 - (9) A description of the composting process to be utilized including composting capacity to be provided, composting technology, required composting time, and assurance of acceptable level of pathogen reduction.
 - (10) A description of compost curing, handling and processing methods including processing capacity and storage volume to be provided.
 - (11) A description of finished compost storage, distribution and delivery methods and requirements.
 - (12) Methods of controlling odors, dust, litter, noise, and insect or rodent infestation; methods of insuring public safety; methods of preventing, if necessary, controlling fires; and methods of collecting and treating liquids generated by the use.
 - (13) Procedures for cleaning and maintaining the appearance of the facility, including collection of litter and waste which falls from transport vehicles in the vicinity of the site, including adjacent private properties and public roads.
- O.** A rehabilitation plan shall be submitted at the time of the Conditional Use application for approval by the Hearing Authority. The plan shall provide for the following minimum rehabilitation program:
- (1) All structures and machinery shall be completely removed and underlying excavations filled to grade and planted grass except structures or machinery that are to be continued in operation for a use permitted under the zoning classifications.
 - (2) All impervious surfaces shall be removed and properly disposed of. The areas which the surfaces are removed shall be backfilled with suitable soil and regarded as necessary to provide adequate drainage. All such areas shall be planted in grass which shall be maintained through one year's growth.
 - (3) All yard waste, composting material, and finished compost shall be removed from the site and shall be disposed of in conformance with applicable laws or regulations.
 - (4) All access roads shall be suitably barricaded to prevent the passage of vehicles either into or out of the abandoned area, except such access as needed for vehicles used in rehabilitation work, until the plan for rehabilitation has been completed and a different use necessitating access has commenced on the property.